

### REMARKS

#### Claim Amendments

Amendments to claims 2, 12, 14, 25 34,35, 37, 40 ,42, 45, 46 and 49 serve to replace the phrase "consisting of" with alternative language.

Claim 2 has been amended to expressly define the substituents that can appear on the "substituted" species for "W". Support for this language is found in original claim 1 where optional substituents for "W" are recited as "selected from the group consisting of -CN, -CO<sub>2</sub>R<sup>7</sup>, -C(O)R<sup>7</sup>, -C(O)NR<sup>7</sup>R<sup>7</sup>, -OR<sup>7</sup>, -SR<sup>7</sup>, -NR<sup>7</sup>R<sup>7</sup>, -NO<sub>2</sub>, -NR<sup>7</sup>C(O)R<sup>7</sup>, -NR<sup>7</sup>C(O)OR<sup>7</sup> and halogen up to per-halo."

Amendments to claims 2 and 37 delete "C<sub>7-24</sub> aralkyl", "C<sub>7-C24</sub> alkaryl", "substituted C<sub>7-24</sub> aralkyl" and "substituted C<sub>7-C24</sub> alkaryl" from the definition of R<sub>a</sub> and R<sub>b</sub> in that they are redundant to C<sub>1-10</sub> alkyl substituted with C<sub>6-12</sub> aryl and C<sub>6-12</sub> aryl substituted with C<sub>1-10</sub> alkyl. These terms and others have also been deleted from the definition of W and R<sup>7</sup>.

Amendments to claims 2 and 37 also further define "C<sub>3-12</sub> hetaryl" as a "5-12 carbon atom aromatic ring system of 1-3 rings, at least one of which is aromatic, in which 1-3 carbon atoms are replaced by heteroatoms selected from O, N and S." Support for these amendments is found on page 9, lines 26-27 and page 10, lines 1-2.

Amendments to claims 2 and 37 also further define the "C<sub>3-12</sub> cycloalkyl, having 0-3 heteroatoms selected from N, S and O" for R<sub>a</sub> and R<sub>b</sub> as "5-6 membered." Support for this amendment is found in the examples (See compound numbers 31, 35, 61-64, 70, 71, 82, 83 and 94). In the definitions for W and R<sup>7</sup>, the C<sub>3-12</sub> cycloalkyl group has been redefined as not having heteroatoms.

Method claims 29, 36 and 48 have been amended to define methods for inhibiting raf kinase in a host. The biological assays and IC<sub>50</sub> values reported in the specification provide sufficient disclosure to enable these methods even without giving any consideration to the remaining disclosure within the specification or the state of the art at the time of the invention.

Applicants maintain the pending claims are not indefinite as alleged at the bottom of page 4 of the office action.

**Rejection Under 35 USC 112, first paragraph**

Applicants also maintain that the specification clearly enables the full scope of the subject matter claimed (compounds and methods) and that the evidence presented to support the rejection is insufficient.

The text book reference, Side Reactions in Organic Synthesis 2005, does not cast any doubt on the teachings provided in the specification. There is no indication that any side reactions occur in preparing the ureas claimed or that if these side reactions occurred that any of the claimed compounds could not be formed. The paragraph cited by the examiner is a ring scission procedure. The generic and specific teachings herein do not require ring scission to form the claimed ureas.

Although the examiner disagrees, applicants maintain that the examples in the specification which do not prepare compounds within the elected group are relevant in enabling the compounds claimed. The methods which do not form the compounds claimed simply employ distinct starting materials. The tables and examples within the specification report many common synthetic steps are used to prepare different compounds. For example, compound 112 of this invention is reported to be prepared by the techniques described in paragraph "C2c," yet the reaction product illustrated in paragraph "C2c" is not a compound claimed herein. One skilled in the art would recognize the starting materials can simply be switched to obtain these compounds.

The syntheses of the non-elected compounds has not been shown to be distinct from those of the elected compounds or any other ureas known in the art. Furthermore, the art of synthesizing ureas is well developed. As an illustration, a search for the term "urea" in the claims of patents dating from 1976 turned up over 15000 hits. Searching the combined terms of "method" and "urea" uncovered over 6000 hits. The state of the art is such that the general and specific guidance provided in the specification are sufficient for one skilled in the art for synthesizing the full scope of the compounds claimed without undue experimentation. *Amgen v Hoechst Marion Roussel*, 314 F.2d 1313, 65 USPQ2d 1385 (Fed. Cir. 2003). Where some experimentation is needed and it is routine, the statute is satisfied.

Since there is no evidence this disclosure is lacking in any way and the citations from the text, Side Reactions in Organic Synthesis, bear no relevance to the syntheses of the claimed compounds, applicants submit that all pending claims meet the requirements of 35 U.S.C. § 112, first paragraph and that the rejection should be withdrawn.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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